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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

RUSSELL SHETTERS III,)	
)	
Petitioner,)	
)	
vs.)	Case No. 3:04-cv-0142-JKS
)	
SUPERINTENDENT,)	<u>RESPONDENT'S MOTION TO</u>
JOE SCHMIDT)	<u>ACCEPT LATE-FILED MOTION TO</u>
)	<u>DISMISS HABEAS CORPUS</u>
Respondent.)	<u>APPLICATION</u>
_____)	

The Respondent, Joe Schmidt, by and through Assistant Attorney General Michael Sean McLaughlin, requests that this court accept the respondent's motion to dismiss this habeas corpus application, filed one day late.

The motion is supported by the accompanying affidavit of counsel.

DATED May 30, 2008, at Anchorage, Alaska.

TALIS J. COLBERG
ATTORNEY GENERAL

s/ Michael Sean McLaughlin
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Certificate of Service

I certify that on May 30, 2008, a copy of the foregoing Respondent's Motion to Accept Late-Filed Motion to Dismiss Habeas Corpus Application, Affidavit of Counsel and Proposed order was served on Russell Shetters III by regular U.S. mail.

s/ Michael Sean McLaughlin